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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MBJ-0466
INTERNATIONAL APPLICATION NO. PCT/EP2002/013328	INTERNATIONAL FILING DATE 25.11.2002	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/534606
TITLE OF INVENTION Defoaming Agent for Cementitious Composition		
APPLICANT(S) FOR DO/EO/US Klaus LORENZ, Minoru YAGUCHI, Tomomi SUGIYAMA, Gerhard ALBRECHT		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: International Publication WO2004/048293 A1; International Preliminary Examination Report; International Search Report; Copies of Cited References 		

This collection of information is required by 37 CFR 1.414 and 1.491–1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/EP2002/013328			ATTORNEY'S DOCKET NUMBER MBJ-0466
21. The following fees are submitted:				
<input checked="" type="checkbox"/> a) Basic national fee	\$300.00			
<input checked="" type="checkbox"/> b) Examination fee	\$200.00			
<input checked="" type="checkbox"/> c) Search fee	\$400.00			
TOTAL OF ABOVE CALCULATIONS =				\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
20 - 100 =	0 /50 =	0	x \$0.00	\$ 0.00
Surcharge of \$.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	20 - 20 =	0	X \$0.00	\$ 0.00
Independent claims	1 - 3 =	0	X \$0.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$0.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				
SUBTOTAL =				
Processing fee of \$.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				
TOTAL NATIONAL FEE =				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$.00 per property				
TOTAL FEES ENCLOSED =				
				Amount to be refunded: \$
				Amount to be charged: \$900.00
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 900.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3275</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Customer No. 23575				
Signature: <u>Joseph G. Curatolo</u>				
SIGNATURE: _____				
Joseph G. Curatolo, Esq.				
NAME _____				
28,837				
REGISTRATION NUMBER _____				

10/534606

JC14 Rec'd PCT/PTO 11 MAY 2005

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May 11 2005

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I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV468904053US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joan R. Barris

(type or print name of person signing paper)

Frank Barris

(signature of person mailing paper)

5-11-2005

(date)

TRANSMITTAL LETTER FOR PATENT APPLICATION

Express Mail No. EV468904053US

Docket No. MBJ-0466

Dear Sirs:

Transmitted herewith is a written application for a patent filed pursuant to 35 USC §371, which is a national stage application of International Application No. PCT/EP2002/013328, filed November 25, 2002, from which application priority is claimed.

Title: Defoaming Agent for Cementitious Composition

Inventors: Klaus LORENZ, Minoru YAGUCHI, Tomomi SUGIYAMA, Gerhard ALBRECHT

Assignee: Construction Research & Technology GmbH
Dr. Albert-Frank-Strasse 32,
D-83308 Trostberg, Germany

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)

Transmittal Letter United States Designated/Elected Office Concerning Filing Under 35USC371 (PTO-1390) (2 pages)

Combined Declaration and Power of Attorney, Unexecuted (2 pages)

Specification (17 Pages Description, 2 Page Claims, 1 Page Abstract)

Preliminary Amendment (8 pages)

Application Data Sheet

Copy - International Search Report

Copy - International Preliminary Examination Report
Copy - International Publication No. WO 2004/048293 A1
Information Disclosure Statement
Form PTO/SB08A
Copies of Cited References (2)
Check in the amount of \$900.00
Return Receipt Postcard

Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBJ-0466 that might be required to effect the filing of these documents to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



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5-11-2005

Date